

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

RICHARD FERREIRA
Plaintiff,

v.

C.A. No. 1:19-cv-00200-JJM-PAS

TOWN OF LINCOLN, LINCOLN POLICE
DEPARTMENT, CHIEF OF POLICE,
CAPTAIN PHILIP GOULD, DETECTIVE
LIEUTENANT DANA L. PACKER
DETECTIVE CHRIS NIGHTINGALE
DETECTIVE GORMAN, SERGEANT
JASON BOLDUC, SERGEANT WALTER M.
PTASZEK, LPD OFFICER STEPHEN
RODRIGUES, LPD OFFICER JOSEPH ANTERNI,
LPD OFFICER LEGARE, LPD OFFICER
KINNIBURGH, LPD OFFICER SEXTON, THE
RHODE ISLAND STATE POLICE, JAMES
MANNI, SUPERINTENDENT, (RISP
DEFENDANTS UNKNOWN),
JOHN DOES 1-5
Defendants.

**LINCOLN DEFENDANTS' OBJECTION TO PLAINTIFF'S
MOTION FOR PARTIAL SUMMARY JUDGMENT**

Plaintiff Richard Ferreira ("Plaintiff") has submitted a filing entitled "Plaintiff's Motion for Court Ordered Return of \$25,997.39 seized from the Plaintiff, or in the Alternative, Plaintiff's Motion for Partial Summary Judgment Ordering the Return of the Sum of \$25,997.39 to the Plaintiff." See generally Plaintiff's Motion for Partial Summary Judgment, Docket at #38. In this filing, Plaintiff asks the Court to order the return of \$25,997.39 purportedly seized by the Rhode Island State Police ("State Police") in connection with an incident that occurred in Lincoln, Rhode Island on April 29, 2016. See generally id. Plaintiff also attaches an affidavit detailing the incident and the purported seizure of funds allegedly resulting therefrom. See generally Plaintiff's

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Affidavit in Support of Motion for Alternative Dispute Resolution Plan and Motion for Partial Summary Judgment, Docket at #41.

The Lincoln Defendants submit that Plaintiff's motion and accompanying affidavit appear to address only actions purportedly taken by the Rhode Island State Police. Plaintiff does not allege in either filing that the Lincoln Defendants seized the sum of money to which he refers. It appears, therefore, that Plaintiff's motion is addressed to the State Defendants, and is not intended as against the Lincoln Defendants.

However, insofar as Plaintiff intends by this motion to seek judgment against the Lincoln Defendants, then the said Lincoln Defendants object to same.

Defendants,
By their Attorneys,

/s/ Marc DeSisto

/s/ Patrick K. Burns

Marc DeSisto, Esq. (#2757)
Patrick K. Burns, Esq. (#10107)
DeSisto Law LLC
60 Ship Street
Providence, RI 02903
(401) 272-4442
marc@desistolaw.com
pburns@desistolaw.com

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CERTIFICATION OF SERVICE

I hereby certify, that on this 14th day of April, 2020, I electronically filed and served this document through the electronic filing system upon the following:

Chrisanne Wyrzykowski (#7565)
cwyrzykowski@riag.ri.gov

Justin J. Sullivan (#9770)
jjisullivan@riag.ri.gov

I further certify that a true and accurate copy of the within was mailed, postage pre-paid, this 14th day of April, 2020, to:

Richard Ferreira, *Pro Se*
PO Box 8000
Shirley, MA 01464

/s/ Marc DeSisto